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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/687,896	10/17/2003	Nitin Jhingan	END920030059US1 (16844)	9806
23389 7590 11/21/2007 SCULLY SCOTT MURPHY & PRESSER, PC 400 GARDEN CITY PLAZA SUITE 300 GARDEN CITY, NY 11530			EXAMINER LIOU, ERIC	
			ART UNIT 3628	PAPER NUMBER
			MAIL DATE 11/21/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/687,896

Applicant(s)

JHINGAN, NITIN

Examiner

Eric Liou

Art Unit

3628

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 October 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 10/17/03 and 10/16/06.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 6, 12, 18, and 22 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

3. Claim 6 recites the limitation "the purchase order" in line 4. There is insufficient antecedent basis for this limitation in the claim.

4. Claim 12 recites the limitation "the purchase order" in line 3. There is insufficient antecedent basis for this limitation in the claim.

5. Claim 18 recites the limitation "the purchase order" in lines 3-4. There is insufficient antecedent basis for this limitation in the claim.

6. Claim 22 recites the limitation "a requisition order" in line 2. It is unclear if "a requisition order" is the same order as "a requisition order" recited in claim 19. The Examiner interprets "a requisition order" (claim 22) to be the same requisition order recited in claim 19.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 1-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chou, U.S. Publication No. 2002/0099796 in view of Vega, U.S. Publication No. 2002/0120554.

9. **As per claims 1, 7, and 13**, Chou teaches a method, a system, and a program storage device (Chou: paragraph 0012) for providing information about a requisition order, comprising the steps:

providing an automated agent for receiving and identifying a set of inquiries, and for each identified inquiry, preparing an associated response (Chou: Fig. 1, “110” and “118”; Fig. 3, “322”; paragraphs 0008, 0025-0026, “web server software”; 0033-0034);

a user transmitting to the agent one of said set of inquiries (Chou: paragraphs 0009; 0011; 0024; 0045-0046);

the agent identifying the transmitted inquiry and preparing the associated response (Chou: paragraphs 0025; 0045-0046); and

using the system to send said associated response from the agent to the user (Chou: paragraph 0045)

10. Chou does not teach using instant messaging.

11. Vega teaches using instant messaging to communicate between providers and customers (Vega: paragraphs 0054; 0175; 0207).

12. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the method, system, and program storage device of Chou to have included using instant messaging as taught by Vega for the advantage of

providing real-time interaction between the provider and the customer, therefore improving the efficiency of processing an order.

13. **As per claims 2, 8, and 14**, Chou in view of Vega teaches the method, system, and program storage device of claims 1, 7, and 13 as described above. Chou further teaches the user preparing the requisition order and submitting the order to the requisition system (Chou: paragraphs 0046-0049); and providing the agent with access to the requisition system to transmit information to and to receive information from the requisition system (Chou: Fig. 1; paragraph 0025).

14. **As per claims 3, 9, 15**, Chou in view of Vega teaches the method, system, and program storage device of claims 2, 8, and 14 as described above. Chou further teaches the step of the agent, in response to identifying the transmitted inquiry, accessing the requisition system to obtain an answer to the transmitted inquiry (Chou: paragraphs 0025; 0044-0048).

15. **As per claims 4, 10, and 16**, Chou in view of Vega teaches the method, system, and program storage device of claims 1, 7, and 13 as described above. Chou further teaches wherein the step of the user transmitting to the agent one of said set of inquiries includes the step of the user using the system to transmit to the agent said one of the set of inquiries (Chou: paragraphs 0009; 0011; 0024; 0045).

16. Chou does not teach using instant messaging.

17. Vega teaches using instant messaging to communicate between providers and customers (Vega: paragraphs 0054; 0175; 0207).

18. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the method, system, and program storage device of

Chou in view of Vega to have included using instant messaging as taught by Vega for the advantage of providing real-time interaction between the provider and the customer, therefore improving the efficiency of processing an order.

19. **As per claims 5, 11, and 17**, Chou in view of Vega teaches the method, system, and program storage device of claims 1, 7, and 13 as described above. Chou further teaches wherein the step of the user transmitting to the agent one of said set of inquiries includes the step of the user transmitting to the agent a request to initiate preparation of the requisition order (Chou: paragraph 0046); and the step of the agent preparing the associated response includes the step of the agent preparing a set of prompts to obtain information from the user about the requisition order (Chou: paragraph 0046 – The agent provides an item search page having text entry fields for one or more searchable parameters.); and the step of using the system includes sending the set of prompts to the user (Chou: paragraph 0046).

20. Chou does not teach using instant messaging.

21. Vega teaches using instant messaging to communicate between providers and customers (Vega: paragraphs 0054; 0175; 0207).

22. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the method, system, and program storage device of Chou in view of Vega to have included using instant messaging as taught by Vega for the advantage of providing real-time interaction between the provider and the customer, therefore improving the efficiency of processing an order.

23. **As per claims 6, 12, and 18**, Chou in view of Vega teaches the method, system, and program storage device of claims 5, 11, and 17 as described above. Chou further

teaches the steps of: the user, in response to receiving the set of prompts, providing said information to the agent (Chou: paragraph 0046); and the agent using said provided information to complete the purchase order, and sending the completed purchase order to a given requisition system (Chou: paragraphs 0046-0049; 0052).

24. **As per claim 19**, Chou teaches a method of providing information about a requisition order, comprising the steps:

providing an automated agent for receiving and identifying a set of inquiries, and for each identified inquiry, preparing an associated response (Chou: Fig. 1, “110” and “118”; Fig. 3, “322”; paragraphs 0008, 0025-0026, “web server software”; 0033-0034);

using an application program interface for connecting the agent with the system (Chou: paragraphs 0013; 0033);

a user transmitting one of said set of inquiries utilizing the system (Chou: paragraphs 0009; 0011; 0024; 0045-0046);

the agent receiving said one of the inquiries utilizing said application program interface (Chou: Fig. 3; paragraphs 0013; 0025; 0033-0035; 0045-0046);

the agent identifying said one of the inquiries and preparing the associated response (Chou: paragraphs 0025; 0045); and

using the application program interface to send said associated response from the agent to the user via the system (Chou: paragraphs 0033-0035; 0045).

25. Chou does not teach using instant messaging.

26. Vega teaches using instant messaging to communicate between providers and customers (Vega: paragraphs 0054; 0175; 0207).

27. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the method of Chou to have included using instant messaging as taught by Vega for the advantage of providing real-time interaction between the provider and the customer, therefore improving the efficiency of processing an order.

28. **As per claim 20**, Chou in view of Vega teaches the method of claim 19 as described above. Chou further teaches using a database connection program to connect the agent with the requisitioning system and to enable the agent to send messages to and to receive data from said requisitioning system (Chou: Fig. 3, “332”; paragraph 0036).

29. **As per claim 21**, Chou in view of Vega teaches the method of claim 20 as described above. Chou further teaches said one of the inquiries asks for specific information from the requisitioning system (Chou: paragraphs 0045-0046); the step of the agent preparing the associated response includes the step of, the agent using the database connection program to access the requisitioning system to obtain said specific information (Chou: paragraph 0036); and the step of using the application program interface to send the response to the user includes the steps of the agent sending said specific information to the application program interface (Chou: paragraphs: 0033-0035; 0045), and said application program interface sending said specific information, via the system, to the user (Chou: paragraphs: 0033-0035; 0045).

30. Chou does not teach using instant messaging.

31. Vega teaches using instant messaging to communicate between providers and customers (Vega: paragraphs 0054; 0175; 0207).

32. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the method of Chou to have included using instant messaging as taught by Vega for the advantage of providing real-time interaction between the provider and the customer, therefore improving the efficiency of processing an order.

33. **As per claim 22**, Chou in view of Vega teaches the method of claim 21 as described above. Chou further teaches wherein said one of the inquiries asks for the status of a requisition order (Chou: paragraph 0045).

Conclusion

34. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Chou et al., U.S. Publication No. 2002/0087663

Johnson et al., U.S. Patent No. 5,712,989

Booth, U.S. Publication No., 2002/0032908

Heimermann et al., U.S. Patent No. 7,110,976

The Examiner has cited particular portions of the references as applied to the claims above for the convenience of the Applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested that the Applicant, in preparing the responses, fully consider the references in

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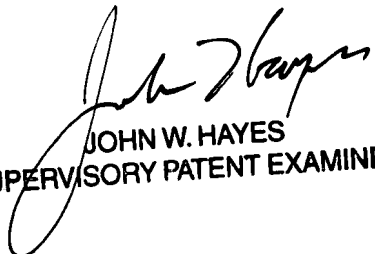
entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eric Liou whose telephone number is 571-270-1359. The examiner can normally be reached on Monday - Friday, 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Hayes can be reached on 571-272-6708. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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JOHN W. HAYES
SUPERVISORY PATENT EXAMINER